

subcutaneously to guinea pigs, should have a minimum lethal dose of not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig, whereas the article, when administered subcutaneously to guinea pigs, had a minimum lethal dose of more than the pharmacopoeial requirement, two of the lots requiring 0.001 cubic centimeter per gram of body weight of guinea pig, and the third lot requiring 0.0016 cubic centimeter per gram of body weight of guinea pig, to produce a lethal dose; and the standard of strength, quality, or purity of the article was not declared on the container thereof. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard or quality under which it was sold, in that it was represented to be tincture of aconite that conformed to the standard laid down in the United States Pharmacopoeia, whereas it was not.

Misbranding was alleged for the reason that the statements, "Tincture Aconite U.S.P.X. Standard \* \* \* Biologically Standardized", borne on the label, were false and misleading, since the article did not conform to the requirements of the pharmacopoeia, and was not biologically standardized.

On March 20, 1933, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$600 on the adulteration charges, and withheld fine on the misbranding charges.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20578. Misbranding of Ointrex Rub-Inhalant. U.S. v. 10 Dozen Small Jars, et al., of Ointrex Rub-Inhalant. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29096. Sample no. 2108-A.)**

Examination of the drug preparation Ointrex Rub-Inhalant, involved in this case, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the jar and carton labels and in a circular shipped with the article.

On October 25, 1932, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 dozen small, 1 dozen medium, and 1 dozen large jars of Ointrex Rub-Inhalant, remaining in the original unbroken packages at Colorado Springs, Colo., consigned by the Rex Research Corporation, Toledo, Ohio, alleging that the article had been shipped in interstate commerce, on or about March 13, 1930, to Colorado Springs, Colo., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Ointrex Rub-Inhalant \* \* \* prepared by Rex Research Corporation, Toledo, Ohio."

Analysis of a sample of the article by this Department showed that it consisted essentially of volatile oils, including menthol, camphor, and methyl salicylate, incorporated in petrolatum.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Tin container) "Relieves \* \* \* Bronchial, Sinus & Polypus Troubles. \* \* \* Sore Feet, \* \* \* Asthma & Nasal-Catarrh"; (jar label) "Sore Throat \* \* \* Coughs, Whooping Cough, Catarrh, Asthma and Hay Fever. \* \* \* As a Liniment or Dressing, Ointrex will be found very helpful for \* \* \* Boils, \* \* \* In case of acute Bronchitis, \* \* \* Pneumonia, Influenza—call your physician without delay. \* \* \* to relieve \* \* \* Catarrh, \* \* \* Respiratory and Surface Inflammation and Congestion. \* \* \* To Relieve Congestion and Inflammation of the Respiratory Organs and for Surface Inflammations. Influenza, LaGrippe, Croup, Asthma, Catarrh, \* \* \* and Hay Fever"; (carton) "To Relieve Congestion and Inflammation of the Respiratory Organs and for surface Inflammations, Influenza, LaGrippe, Croup, Asthma, Catarrh, \* \* \* and Hay Fever. \* \* \* Colds, to Arrest Their Development and Prevent Complications and Serious Consequences"; (display carton) "'Colds Neglected Cause Tens of Thousands of Deaths Annually' \* \* \* Relieves \* \* \* Bronchial, Sinus and Polypus Troubles"; (circular) "Keep Them Healthy \* \* \* Colds \* \* \* to Arrest Their Progress and Prevent Complications and Serious Consequences \* \* \* Croup Croupy cough is the cause of much concern and discomfort. \* \* \* Croupy Coughs are usually worse at night. Such spells can often be allayed or prevented entirely by an Ointrex treatment before retiring. Fresh, but warm air is essential and in severe cases, consult your family doctor \* \* \*

Coughs \* \* \* Whooping Cough. This is one of the most troublesome of the whole cold family. While not particularly dangerous of itself, whooping cough subjects the lungs and bronchial tubes to strain which may have very serious after effects. Ointrex will effect relief if rubbed on the entire length of the spinal column in the morning, at least once during the day and before retiring at night. Also insert Ointrex in nostrils and use hot flannel as in the case of ordinary colds. \* \* \* Asthma to Avoid Asthma, consult your physician. Ointrex relieves Asthma when rubbed thoroughly into the spinal column from shoulder to hip. Nerves are thus relaxed. Insert Ointrex also into nostrils as directed under caption 'Head Colds.' Repeat as often as is necessary until relief is afforded. Nasal Catarrh Nasal Catarrh may be but an indication of sinus trouble and the advice of a competent physician should be sought. Nasal catarrh is chronic in many sections and is almost impossible to cure. Relief is obtainable, however, by inhaling Ointrex as prescribed under 'Head Colds.' Apply Ointrex freely to nasal passage, snuffing vigorously up into head and throat. Directions for Using and Applying Ointrex Congestion or Inflammation of the Air Ducts Consult Special Headings for Specific Troubles Ointrex \* \* \* developed \* \* \* with a view of alleviating colds and the suffering which they entail. \* \* \* It lubricates and holds within, inhalents that relieve the nasal passage and prevent the formation of excessive mucus to carry infection to the throat, lungs and stomach. \* \* \* Colds Neglected are the Direct and Indirect Cause of Tens of Thousands of Deaths Each Year \* \* \* Those \* \* \* who suffer from nasal catarrh will do well to make this simple test of Ointrex. In no more than five minutes it will demonstrate its healing and protective virtues. Insert Ointrex of about the size of a large pea into each nostril with the assistance of your little finger. Then successively hold each nostril closed, and inhale strongly drawing it into the head and throat. Within two minutes you will find the accumulated mucus beginning to loosen and in a few minutes your head will be clearing. As the mucus is removed, it carries away cold germs and allays inflammation. Ointrex used in this manner as a preventative and relief for colds or relief for nasal catarrh \* \* \* Colds directly or indirectly are the cause of the major portion of illness today. Neglected colds cause tens of thousands of deaths every year. \* \* \* It is a fact that doctors are not called for hundreds of thousands of cases of colds, any one of which might develop to serious proportions, therefore, Ointrex is of inestimable value and is needed in every home. \* \* \* It is the part of wisdom, therefore, to regard every cold as potentially dangerous and to cure it and prevent complications."

On February 13, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20579. Misbranding of Rawleigh's rheumatic tablets. U.S. v. 240 Bottles of Rawleigh's Rheumatic Tablets. Tried to the court. Libel dismissed. Writ of error to Circuit Court of Appeals. Reversed and remanded. Decree of condemnation, forfeiture, and destruction. (F. & D. no. 25504. I.S. no. 11392. S. no. 3758).**

Examination of the drug preparation, Rawleigh's rheumatic tablets, showed that the article contained no medicinal agents capable of producing certain curative and therapeutic effects claimed for the article through the medium of statements on the bottle labels and circulars shipped with the product.

On December 26, 1930, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 240 bottles of the said Rawleigh's rheumatic tablets, remaining in the original unbroken packages at Denver, Colo., consigned by W. T. Rawleigh Co., Freeport, Ill., alleging that the article had been shipped in interstate commerce on or about October 1, 1930, from Freeport, Ill., to Denver, Colo., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that the tablets contained, in each: Potassium iodide (0.06 gram), sodium salicylate (0.03 gram), and plant drug extract.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Bottle label) "Rheumatic Tablets \* \* \* Take